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10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA
12 FRESNO DIVISION

13
14 ORALIA GARCIA ESPARZA,

No. 1:21-cv-00991-SKO

15 Plaintiff,

STIPULATION AND ORDER FOR EXTENSION
TO FILE DEFENDANT'S OPPOSITION TO
PLAINTIFF'S OPENING BRIEF

16 v.

(Doc. 18)

17 KILOLO KIJAKAZI,
18 Acting Commissioner of Social Security,

19 Defendant.¹

20 IT IS HEREBY STIPULATED, by and between Oralia Garcia Esparza (Plaintiff) and
21 Kilolo Kijakazi, Acting Commissioner of Social Security (Defendant), by and through their
22 respective counsel of record, that, with the Court's approval, Defendant shall have an extension of
23 time of sixty (60) days to file a Response to Plaintiff's Opening Brief. This is Defendant's first
24

25
26 ¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant
27 to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted,
therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to
28 continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42
U.S.C. § 405(g).

1 request for an extension on her Response to Plaintiff's Opening Brief. The current due date is
2 April 22, 2022. The new date will be June 21, 2022. All other deadlines will extend accordingly.
3

4 Good cause exists for this request. Defendant's counsel has worked diligently to meet the
5 timelines provided by the Court but has been prevented from doing so by her busy schedule.
6 Defendant's counsel has seventy-one other active cases in various stages of litigation, 21
7 responsive briefs due in the next 60 days, and three oral arguments scheduled before the Ninth
8 Circuit in May. Additionally, Defendant's counsel has other responsibilities with another practice
9 group in her office where the work cannot be extended. Defendant also will be out of the office
10 on leave from May 9 - May 13. Defendant requests this extension in good faith, and with no
11 intent to delay these proceedings unnecessarily. Defendant apologizes to the Court for any
12 inconvenience caused by this delay.
13

14 Respectfully submitted,
15

16 DATE: March 21, 2022

/s/ Jonathan Omar Pena
JONATHAN OMAR PENA
Attorney for Plaintiff
(as approved via email)

PHILLIP A. TALBERT
United States Attorney

21 DATE: March 21, 2022

By *s/ Margaret Lehrkind*
MARGARET LEHRKIND
Special Assistant United States Attorney

23 Attorneys for Defendant

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1
2 ORDER
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4 Pursuant to the foregoing stipulation (Doc. 18), and for good cause shown,
5 IT IS HEREBY ORDERED that Defendant shall have an extension, up to and including
6 June 21, 2022, to file their response to Plaintiff's opening brief. All other dates in the Scheduling
7 Order (Doc. 11) shall be extended accordingly.

8 IT IS SO ORDERED.
9

Dated: March 22, 2022

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE